



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
TDD #: (608) 264-8777

Jim Doyle, Governor
Jack L. Fischer, A.I.A., Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 55
Comm #: 53216-1710-20-A
BRRTS #: 03-41-005260
Site Name: Center Fuel Company Property
Site Address: 4220 North 35th Street, Milwaukee, 53216
Site Manager: John Hnat
Address: 2300 North Dr. Martin Luther King, Jr. Drive
City, State Zip: Milwaukee, WI 53212-3128
Phone: (414) 263-8644
e-mail: John.Hnat@Wisconsin.Gov
Bid Manager: Monica L. Weis
Address: 9316 North 107th Street
City, State Zip: Milwaukee, Wisconsin 53224-1121
Phone: (414) 357-4705
e-mail: Monica.Weis@Wisconsin.Gov

Bid-Start Date:	June 9, 2008
Questions must be received by (See Section 2 (B)):	June 23, 2008, 4:00 PM
Responses will be posted by (See Section 2 (B)):	July 11, 2008
Bid-End Date and Time:	July 25, 2008, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Ivize-Milwaukee, 757 North Broadway, Suite 200, Milwaukee, WI 53202
Phone: (414) 276-2679 Fax: (414) 276-1529

SECTION 2 – Site-Specific Bid Requirements

General Comments

Center Fuel Company was a former bulk petroleum storage facility located at 4220 North 35th Street in Milwaukee. The property (approximately 1.5 acres in size) is zoned IH, a heavy industrial zoning district. A petroleum release was identified near one of the former aboveground storage tanks (ASTs) in 1995. In 1997, seven ASTs were removed from the site. The capacity of the tanks ranged from 1,500 to 250,000-gallons with each AST formerly containing fuel oil. The property is currently a vacant lot; several concrete slabs and a partial retaining wall remain from the former bulk facility. The majority of the site is covered with grass and fill soils. There is a low marshy area in the northeast corner of the site. There are no known petroleum tanks remaining on the property. The soil types on the property consist of silty clays and clayey silts extending to approximately 20-feet below ground surface (bgs). There may be fill material in the upper four feet. The depth to groundwater averages from four feet bgs in the southwest corner to eight feet bgs in the northeast corner of the property. Groundwater flow direction varies seasonally from southwest to north/northeast. Hydraulic conductivity was determined by a bail down test conducted at MW-1 and calculated to be 1.5×10^{-4} cm/sec.

Soil sampling indicated GRO and DRO above NR 720 generic RCLs in clay soil, but the depths of sampling may indicate saturated conditions. Groundwater results in 2003 indicated measurable free product (0.19 feet) in MW-1 and no free product in 2004 or 2005. In 2001, MW-1 had ES exceedances for several PAH compounds and PAL exceedances for benzene and fluorene. There was no sample analysis for PVOCs or PAHs in MW-1 after 2001. The well screens for monitoring wells MW-2 through MW-4 are not installed properly and do not always intersect the water table; therefore, data collected from these wells is considered suspect. In 2003, the most recent sampling event, MW-2, MW-3, and MW-4 had no PAL or ES exceedances for PVOCs; PAH analysis was not conducted.

Additional groundwater monitoring and soil sampling for PVOCs and PAHs are required to complete the site investigation. Soil sampling and analysis to assess the potential risk from direct contact with soil from 0 to 4 feet was not completed on the site.

Minimum Remedial Requirements

Historical Document Review

Locate and review a map showing the former piping (above ground and below ground) from the tanks to the loading rack area(s), if possible. Center Fuel may have this information. Recommend revisions to the prescribed soil boring locations (see map) to preferential locations along the former piping runs and submit this information to the WDNR and Commerce for approval before commencing with advancing soil borings and installing groundwater monitoring wells. If a figure cannot be located, inform DNR and Commerce, and then proceed with the scope of work using the proposed soil boring and well locations on the figure provided with this bid document.

Soil Boring Advancement

If no revisions are required to the soil boring locations, advance fourteen soil borings at the locations indicated on the enclosed map (14 rectangle symbol areas). Collect one soil sample from within the 0 to 4-foot depth bgs interval for laboratory analysis of

PVOCs and PAHs. Provide a soil boring log and photoionization detector (PID) readings for each borehole.

Groundwater Monitoring Well Installation and Sampling

Install three, NR 141 groundwater monitoring wells (referenced on the accompanying map as MW-5, MW-6, and MW-7) at the locations between former soil borings P-5 and P-12, between the two central former 250K ASTs, and north of MW-3. Collect one soil sample from within the 0 to 4 foot bgs depth interval or from the interval with an elevated PID reading for laboratory analysis of PVOCs and PAHs. The soil borings must be continuously sampled from the surface downward, field-screened with a PID for volatile contamination and lithology recorded.

Conduct two groundwater monitoring events at all groundwater monitoring wells (MW-1 through MW-7) on a quarterly basis. Submit groundwater samples for laboratory analysis of PVOCs and PAHs. Check all wells for measurable free product before purging to collect groundwater samples. Record the depth to and thickness of any free product present in the wells. Wells with product should still be sampled.

Record all groundwater elevation measurements in tabular form and generate a groundwater elevation and flow direction map for each sample round. The new wells must be surveyed to USGS datum. Documentation of well installation, including boring logs, well construction diagrams, and well development forms must be provided in the summary report.

Waste Disposal

All investigative waste generated to complete this scope of work must be properly disposed. There are also five 55-gallon drums of soil cuttings and one 55-gallon drum of a water/product mixture staged on the site that must be properly disposed under this cost cap.

Report Requirements

After completion of the activities outlined above, prepare and submit a comprehensive report documenting the work completed to the DNR and Commerce. The report must include updated tables and figures and an evaluation of the potential risk from direct contact with contaminated soil. Hand-drawn figures and hand-written additions to data tables are not acceptable. Include recommendations for what, if any, additional work will be required to meet regulatory closure criteria.

The successful bidder must also comply with the reporting requirements listed in Section 3 below.

Only portions of information contained in the case file are available at the copy shop (text, figures, tables and boring logs). The entire file should be reviewed at the DNR Milwaukee office.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Center Fuel Company Property

COMMERCE #: 53216-1710-20-A

BRRTS #: 03-41-005260

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W. Washington Ave., Madison, WI 53703-2760 or
PO Box 8044, Madison, WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Center Fuel Company Property

COMMERCE #: 53216-1710-20-A

BRRTS #: 03-41-005260

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Review Historic Documents	\$	
2	Soil Boring Advancement, Sampling (14 total), and Laboratory Analysis	\$	
3	Groundwater Monitoring Well Installation (3 Wells) and Surveying	\$	
4	Groundwater Monitoring (2 events x 7 wells) Including Laboratory Analysis	\$	
5	Waste Disposal (soil, groundwater, FP/groundwater mixture) Including Drums Currently On Site.	\$	
6	Reporting - Including Electronic Updates and Written Report	\$	
7	PECFA Claim Preparation	\$	
8	Total Bid Amount	\$	